

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZAMA CAPITAL ADVISORS LP and ZAMA
CAPITAL STRATEGY ADVISORS LP,

Plaintiffs,

-against-

UNIVERSAL ENTERTAINMENT
CORPORATION, UE RESORTS
INTERNATIONAL, INC. f/k/a OKADA MANILA
INTERNATIONAL, INC., TIGER RESORT ASIA
LIMITED, TIGER RESORT, LEISURE AND
ENTERTAINMENT, INC., HANS VAN DER
SANDE, and BYRON YIP,

Defendants.

USDC SDNY
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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 5/14/2024

1:24-cv-01577-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On April 9, 2024, Defendants submitted a letter requesting that the Court hold a pre-motion conference on Defendants' anticipated motion to dismiss, or, in the alternative, to strike certain allegations in, the Complaint. [ECF No. 36]. On April 12, 2024, Plaintiffs filed a letter opposing Defendants' arguments in substance, but indicating that Plaintiffs do not oppose a pre-motion conference or the filing of the contemplated motions. [ECF No. 37].

Accordingly, IT IS HEREBY ORDERED that Defendants' request for a pre-motion conference is DENIED and Defendants are GRANTED leave to file a motion to dismiss and a motion to strike.

IT IS FURTHER ORDERED that on or before May 17, 2024, Plaintiffs shall file a letter informing the Court whether they seek leave to amend the Complaint in response to Defendants' pre-motion letter. The Court will not grant leave to amend later based on arguments in Defendants' pre-motion letter.

IT IS FURTHER ORDERED that if Plaintiffs do not seek leave to amend the Complaint, the briefing schedule for Defendants' motion to dismiss and motion to strike shall be as follows:

- Motions due on or before June 14, 2024;
- Opposition due on or before July 12, 2024; and
- Reply due on or before July 26, 2024.

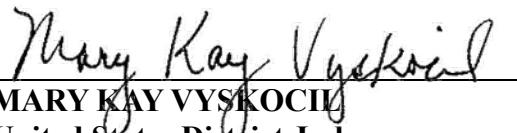
IT IS FURTHER ORDERED that if Plaintiffs elect to amend the Complaint, the Amended Complaint shall be filed on or before May 31, 2024. If Plaintiffs elect to amend the Complaint, Defendants shall file a letter within three business days of the filing of the Amended Complaint advising the Court whether they still seek to file a motion to dismiss and/or motion to strike. The Court will modify and/or set deadlines accordingly.

IT IS FURTHER ORDERED that Defendants' request for oversized briefing is GRANTED. The parties may submit a single set of briefing addressing both contemplated motions within the following page limitations: opening brief of 40 pages; opposition brief of 40 pages; reply brief of 20 pages.

Any request for an extension or adjournment shall be made by letter filed on ECF at least 48 hours before the deadline.

SO ORDERED.

Date: **May 14, 2024**
New York, NY


MARY KAY VYSKOCIL
United States District Judge